

## WARRANTY DEED

Order No. 204990129

FOR VALUE RECEIVED, WHICH IS PAID BY A QUALIFIED INTERMEDIARY AS PART OF A 1031 DEFERRED EXCHANGE

ASARCO Incorporated, a New Jersey Corporation

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Silmsen Lumber Company, an Oregon Corporation

whose current address is

700 Pacific Building, 520 SW Yamhill Street, Portland, OR 97204

the grantee(s), the following described premises, in Mineral County, Montana, TO WIT:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

TOGETHER WITH any and all improvements located on such land, all standing and down timber located on such land, and all easements, rights-of-way, and access rights, all water rights, mineral rights, and all other rights of every nature appurtenant to such land.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except those listed on Exhibit B attached hereto and incorporated herein by this reference.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: February 9, 2000

ASARCO Incorporated

By [Signature]

VP + General Counsel

State of NEW YORK

County of NEW YORK

On this 11 day of February, 2000, before me, a Notary Public in and for said state, personally appeared Robert F. Fickel known to me to be the Secretary of the ASARCO Incorporated, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he executed the foregoing in said Corporation name  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]  
Notary Public for the State of New York  
Residing at: 140 Hudson Blvd  
Commission Expires: October 29, 2002

MARIA C. MINICI  
Notary Public, State of New York  
No. 31-4973882  
Qualified in Westchester County  
Certificate Filed in New York County  
Commission Expires October 29, 2002

**EXHIBIT A**

**The Surprise lode mining claim Mineral Survey No. 5372 A and the Dillon Millsite claims, Mineral Survey No. 5372B, located in portions of Sections 1,2, and 12, Township 17 North, Range 26 West, P.M.M., Mineral County, Montana, as more particularly described in Patent recorded in Book G of deeds, at Page 156, records of Mineral County, Montana.**

**Parcel No. Reference: 83740 (Surprise) AND 83730 (Dillon)**

**The Iron Tower, Lot No. 37A, (also known as U.S. Survey 2547A); Iron Mountain lode mining claim, Lot 38A (also known as U.S. Survey 2548A) located in portions of Sections 1, 2 and 12 Township 17 North, Range 26 West, P.M.M., Mineral County, Montana, as more particularly described in Patent recorded in Book A of deeds, at Page 438, records of Mineral County, Montana.**

**Parcel No. Reference: 83710 ( Iron Tower); 83700 (Iron Mountain lode)**

**The Belle of the Hills Quartz Lode Mining Claim, lot No. 3986 located in portions of Sections 1 and 2, Township 17 North, Range 26 West, P.M.M., Mineral County, Montana. as more particularly described in Patent recorded in Book F of deeds, at Page 427, records of Mineral County, Montana.**

**Parcel No. Reference: 83720**

**Government Lot 1 and the Northeast quarter of the Northeast quarter and the West one-half of the Northeast quarter in Section 14, Township 17 North, Range 26 West, P.M.M., Mineral County, Montana. EXCEPTING AND EXCLUDING THEREFROM that portion of the Marietta Placer Mining Claim No. 5464.**

**Parcel No. Reference: 83770**

**The South one-half of the Northeast quarter and Northwest quarter of Northeast quarter and the Northeast quarter of the Northwest quarter in Section 15, Township 17 North, Range 26 West, P.M.M., Mineral County, Montana..**

**Parcel No. Reference: 83780**

1154  
EXHIBIT "B"

1. An easement affecting the portion of said premises and for the purpose stated herein, and incidental purposes.  
In favor of: USA  
Recorded: February 18, 1965  
Book/Page: Book 5 of Miscellaneous Real Estate, at Page 339
2. An easement affecting the portion of said premises and for the purpose stated herein, and incidental purposes.  
In favor of: The Montana Power Company  
Recorded: August 18, 1965  
Book/Page: Book 5 of Miscellaneous Real Estate, at Page 416
3. A Contract and grant of easement affecting the portion of said premises and for the purpose stated herein, and incidental purposes.  
In favor of: USA, Department of Energy, Bonneville Power Administration  
Recorded: June 1, 1984  
Book/Page: Drawer 1 of Miscellaneous Real Estate, Card No. 2200
4. Effects of Private Road Easement granted to ASARCO, Incorporated by USA acting through the Forest Service.  
Recorded: March 19, 1998  
Book/Page: Drawer 2 of Miscellaneous Real Estate, Card No. 5251
5. County road rights-of-way not recorded and indexed as a conveyance in the office of the Clerk and Recorder pursuant to title 70, chapter 21, M.C.A.
6. Effects of Road Easements granted to The Anaconda Company by USA acting through the Forest Service.  
Recorded: June 23, 1966  
Book/Page: Book 6 of Miscellaneous Real Estate, at Page 69  
  
(Which rights have been assigned to Champion and from Champion to Plum Creek)
7. Lack of a right of access to and from said land.

Instrument No. \_\_\_\_\_

I certify that I received this instrument on this 11 day of February, 2000 A.D. at 2 07 o'clock P

it is recorded in Drawer 3 of Drawer records of Mineral County, State of Montana, on Card No. \_\_\_\_\_

Return To:

Stanley Lumber  
700 Pacific Bldg.  
Box 200, Yamhill, OR 97148

Katherine Jasper  
County Recorder

By Mary Yarnall

Fee \$ 18. Paid